

By: Capriglione

H.B. No. 793

A BILL TO BE ENTITLED

AN ACT

relating to the definition of a governmental body for the purposes of the public information law.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 552.003(1), Government Code, is amended to read as follows:

(1) "Governmental body":

(A) means:

(i) a board, commission, department, committee, institution, agency, or office that is within or is created by the executive or legislative branch of state government and that is directed by one or more elected or appointed members;

(ii) a county commissioners court in the state;

(iii) a municipal governing body in the state;

(iv) a deliberative body that has rulemaking or quasi-judicial power and that is classified as a department, agency, or political subdivision of a county or municipality;

(v) a school district board of trustees;

(vi) a county board of school trustees;

(vii) a county board of education;

(viii) the governing board of a special

1 district;

2 (ix) the governing body of a nonprofit
3 corporation organized under Chapter 67, Water Code, that provides a
4 water supply or wastewater service, or both, and is exempt from ad
5 valorem taxation under Section 11.30, Tax Code;

6 (x) a local workforce development board
7 created under Section 2308.253;

8 (xi) a nonprofit corporation that is
9 eligible to receive funds under the federal community services
10 block grant program and that is authorized by this state to serve a
11 geographic area of the state; and

12 (xii) the part, section, or portion of an
13 organization, corporation, commission, committee, institution, or
14 agency that:

15 (a) receives public funds or other
16 public resources unless the receipt of the funds or other resources
17 imposes a specific and definite obligation on the entity to provide
18 a measurable amount of service in exchange for the funds or other
19 resources as would be expected in an arms-length transaction for
20 services between a vendor and purchaser;

21 (b) is a party to a contract with a
22 governmental body or involved in another relationship with a
23 governmental body that involves public funds and that indicates a
24 common purpose or objective or that creates an agency-type
25 relationship between the entity and one or more governmental
26 bodies; or

27 (c) provides services traditionally

1 provided by a governmental body [~~spends or that is supported in~~
2 ~~whole or in part by public funds~~]; and

3 (B) does not include the judiciary.

4 SECTION 2. The change in law made by this Act applies only
5 to a request for public information received on or after the
6 effective date of this Act. A request for public information
7 received before the effective date of this Act is governed by the
8 law in effect when the request was received, and the former law is
9 continued in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2017.